

REMARKS

Status of the Claims

Pending claims

Claims 1 to 37 are pending.

Claims added in this response

Claims 38 and 42 are added. Thus, after entry of the instant response, claims 1 to 42 will be pending.

Support for the Claim Amendments

The specification sets forth an extensive description of the invention in the new and amended claims. For example, support for claims directed to methods for screening for an agent for the prevention or treatment of intraneuronal accumulation of α -synuclein, amyloidosis or neurofibrillary tangles can be found, *inter alia*, in paragraphs [0026] to [0029] of U.S. Patent Application Publication No. 20030056231 ("the '231 publication"). Support for claims directed to making strains of mice of the invention can be found, *inter alia*, in paragraph [0030] of the '231 publication.

Group Restriction Requirement

The Patent Office alleged that the pending claims of the application are directed to two separate and distinct inventions under 35 U.S.C. § 121, as set forth in detail pages 2 to 3 of the OA:

Group I: drawn to a transgenic mouse, drawn to pending claims 1 to 36 (and new claims 38, 41 and 42), and classified in, *inter alia*, class 800, subclass 18.

Group II: drawn to methods for screening therapeutic agents for the prevention or treatment of neurological disease (e.g., comprising administration of therapeutic interventions to a transgenic mouse), drawn to pending claim 37 (and new claim 39) and classified in, *inter alia*, class 800, subclass 3.

The Group Election

In response to the Group Restriction Requirement, Applicants elect Group I, including, *inter alia*, pending claims 1 to 36, and new claims 38, 41 and 42.

Rejoining process claims under In re Ochiai

Applicants thank the Examiner for noting that after the elected product claims have been found to be allowable, all withdrawn process (methods) claims which depend from or otherwise include all of the limitations of the allowed product claims should be rejoined. MPEP § 821.04; pg 800-63, 8th Edition, August 2001; In re Ochiai, 37 USPQ2d 1127 (Fed. Cir. 1995); In re Brouwer, 37 USPQ2d 1663 (Fed. Cir. 1995); 1184 OG 86, 3/26/96.

Applicants note that Group II encompasses withdrawn process (methods) claims which depend from or otherwise include all of the limitations of the allowed product claims.

CONCLUSION

It is believed that the all claims pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858 720 5133.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 220002065100. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

By 

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